

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

PETER POE, et al.,

Plaintiffs,

v.

GENTNER DRUMMOND, et al.,

Defendants.

No. 23-CV-00177-JFH-SH

**UNOPPOSED MOTION FOR EXTENSION OF TIME FOR
DEFENDANTS 15-55 TO RESPOND TO PLAINTIFFS' COMPLAINT
[DOC. 2] AND MOTION TO PROCEED UNDER PSEUDONYMS
[DOC. 4]**

Pursuant to LCvR7-1(g), Defendants 15-55 (“Defendants”) respectfully request an extension of time of twenty-one (21) days to file their responsive pleadings to the Complaint for Declaratory, Injunctive, and Other Relief [Doc. 2] and their response to the Motion to Proceed Under Pseudonyms [Doc. 4]. Plaintiffs do not object to this proposed extension.

Defendants submit the following in support:

1. On May 2, 2023, Plaintiffs filed this suit against Defendants. *See* Doc. 2. Plaintiffs simultaneously moved for a preliminary injunction. Doc. 5.
2. The earliest date of service on any defendant in this case is May 5, 2023.
3. On May 18, 2023, State Defendants and Plaintiffs entered into a stipulation to extend the response deadline to the motion for preliminary injunction to June 16, 2023, and to temporarily not enforce SB 613 while the motion for preliminary injunction is pending before this Court. Doc. 41. This agreement was not “a concession of any kind, on any issue, by Defendants, including the existence of harm.” *Id.*
4. On May 19, 2023, this Court granted that motion and ordered Defendants to respond to the motion for a preliminary injunction by June 16, ordered Plaintiffs to reply by July

10, and set the hearing on the Motion for Preliminary Injunction for July 25. Doc. 42.

5. Defendants' responsive pleadings and response to the Motion to Proceed Under Pseudonyms are also currently due on May 26, 2023, pursuant to Fed. R. Civ. P. 12(a).

6. Defendants respectfully ask this Court for an additional twenty-one (21) days, until June 16, 2023, for Defendants to file their responsive pleading to the Complaint and response to the Motion to Proceed Under Pseudonyms.

7. This request is made in good faith and not for the purpose of unnecessary delay. The Complaint is over 60 pages long and was filed alongside a preliminary injunction brief accompanied by roughly 170 pages of expert testimony and 44 pages of lay testimony. The Motion to Proceed Under Pseudonyms is an additional 15 pages. Responding to these motions and papers is a lengthy process that necessitates contracting with subject matter experts and identifying witnesses. The requested extension will allow Defendants to respond to the Complaint and the Motion for Preliminary Injunction on the same timeframe and schedule.

8. The extension will not prejudice Plaintiffs. If anything, the extension would simplify the briefing schedule as Defendants' response to the Motion for a Preliminary Injunction and Defendants' responsive pleadings would be filed on the same day.

9. Moreover, granting this motion will not affect the trial date or any other deadlines, as the Court has not yet entered a scheduling order. The hearing on July 25 will not be affected.

10. Again, counsel for Plaintiffs have indicated to Defendants that Plaintiffs do not object to the proposed extension.

11. For these reasons, Defendants respectfully request this Court grant them an extension of time to file their responsive pleading to the Complaint for Declaratory, Injunctive,

and Other Relief and Motion to Proceed Under Pseudonyms. Further, Defendants interpret the Court's Minute Order from May 19, 2023 setting new deadlines to respond to Plaintiffs' Motion for Preliminary Injunction to apply to all Defendants. If the Court did not intend for all Defendants to respond by June 16, Defendants 46-55 request such relief.

Respectfully Submitted,

s/ Garry M. Gaskins, II

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CERTIFICATE OF SERVICE

I hereby certify that on the 25th of May, 2023, I electronically filed the foregoing motion with the Clerk of Court using the CM/ECF system, which will send notification of this filing to the attorneys of record and all registered participants.

s/ Garry M. Gaskins, II
Garry M. Gaskin, II